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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/635,485

08/07/2003

Alejandro Wiechers

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7590

08/19/2008

HEWLETT PACKARD COMPANY
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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

MILIA, MARK R

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

08/19/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/635,485	Applicant(s) WIECHERS, ALEJANDRO	
	Examiner Mark R. Milia	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 12-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 5/7/08 and has been entered and made of record. Currently, claims 1-5 and 12-28 are pending.

Response to Arguments

2. Applicant's arguments filed 5/7/08 have been fully considered but they are not persuasive. Applicant asserts that Roztocil (US 2001/0044868) does not teach "receiving at the designer location from the print service provider location real time configuration information regarding a print production device at the print service provider location" and "creating at the designer location a high performance file using the real time configuration information from the print service provider location, the high performance file comprising the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed". The examiner respectfully disagrees as Roztocil does disclose such features. Particularly, Roztocil states that a digital print shop contains computer workstations **114** and **116**, servers **118** and **120**, and output devices **122** connected via network **112**. Network **112** may include a plurality of networks types, such as wired, wireless, LAN, Ethernet, or WAN (Internet) (see paragraph 21). Print

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jobs are received and manipulated using computers **114** and **116** and as such makes up the designer location. Roztocil also states that computers **114** and **116** maybe combined into one workstation (see paragraph 29 lines 11-14). Print server **120** and output devices **122** make up the print service provider location. Therefore, communication between the computers **114** and **116** and server **120** and output devices **122** is established based on the output device (printer) selected by the user. Roztocil further states that output device availability and capabilities provided to a user and are utilized in print job fulfillment (see paragraphs 32 lines 22-26 and 45). Roztocil also states that "print ready" files are created at the designer location (computers **114** and **116**) during job preparation which takes output device attributes into consideration (see paragraphs 25, 27-29). Thus, Roztocil discloses "receiving at the designer location from the print service provider location real time configuration information regarding a print production device at the print service provider location" and "creating at the designer location a high performance file using the real time configuration information from the print service provider location, the high performance file comprising the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed".

Therefore, the rejection of claims 105 and 12-28 set forth in the previous Office Action is maintained and repeated in this Office Action.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-5, 12-17, and 20-28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0044868 to Roztocil et al.

Regarding claim 1, Roztocil discloses a method of managing workflow in a commercial printing environment including a designer location and a print service provider location, said method comprising: creating at the designer location a digital file that represents an image to be printed (see Fig. 1 and paragraph 22), receiving at the designer location from the print service provider location real time configuration information regarding a print production device at the print service provider location (see paragraphs 23, 32 lines 22-26, 45 lines 1-6, 46 lines 1-16, and 52), creating at the designer location a high performance file using the real time configuration information from the print service provider location, the high performance file comprising the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed (see Fig. 1 and paragraphs 23, 25, and 27-28), submitting the high performance file from the designer location to the print service provider location via an electronic network (see paragraphs 22 lines 8-13, 25 lines 9-11, 29, and 32 lines 22-26), verifying at the print service provider location that print the print job will be processed at the print service provider location as indicated by the processing instructions contained in the high performance

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file and, if not, correcting the high performance file to ensure processing substantially as designed (see paragraphs 29-30, 45-48, and 56), and performing at the print service provider location automated printing on a digital printer using, if created, the corrected high performance file, else using the verified high performance file (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Regarding claim 20, Roztocil discloses a system for managing workflow in a commercial printing environment, said system comprising: a designer location configured to: create a digital file that represents an image to be printed (see Fig. 1 and paragraph 22), receive from a print service provider location real time configuration information regarding a print production device at the print service provider location (see paragraphs 23, 32 lines 22-26, 45 lines 1-6, 46 lines 1-16, and 52), create a high performance file using the real time configuration information from the print service provider location, the high performance file comprising the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed (see Fig. 1 and paragraphs 23, 25, and 27-28), and submit the high performance file to the print service provider location via an electronic network (see paragraphs 22 lines 8-13, 25 lines 9-11, 29, and 32 lines 22-26), and a print service provider location configured to: verify that the print job will be processed at the print service provider location as indicated by the processing instructions contained in the high performance file and, if not, correct the high performance file to ensure processing substantially as designed (see paragraphs 29-30, 45-48, and 56), and perform automated printing on a digital printer using, if created, the

corrected high performance file, else using the verified high performance file (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Regarding claims 2 and 21, Roztocil further discloses wherein verifying comprises performing automated remote printing setup (see paragraph 29).

Regarding claims 3 and 22, Roztocil further discloses wherein performing automated printing comprises performing automated printing in accordance with printing instructions contained within the high performance file (see paragraph 25 lines 29-36).

Regarding claims 4 and 23, Roztocil further discloses wherein correcting includes reading printing instructions prepared at the designer location and contained within the high performance file, and preparing appropriate corresponding instructions for the digital printer at the print service provider location (see paragraphs 30, 45-48, and 56).

Regarding claims 5 and 24, Roztocil further discloses wherein correcting further comprises updating a job ticket corresponding to the high performance file (see paragraph 46).

Regarding claim 12, Roztocil further discloses wherein verifying comprises automatically ensuring the digital file and instruction files are contained within the high performance file (see paragraphs 29-30, 45-48, and 56).

Regarding claims 13 and 25, Roztocil further discloses wherein verifying comprises automatically checking to see if a digital printer selected at the designer location is available (see paragraph 45 lines 1-6).

Regarding claims 14 and 26, Roztocil further discloses wherein verifying comprises automatically checking to see if there are any errors in the high performance

file that would prevent the print job from being completed properly (see paragraphs 29-30, 45-48, and 56).

Regarding claims 15 and 27, Roztocil further discloses wherein correcting the high performance file comprises adding missing instructions or revising instructions contained within the high performance file to account for changes in equipment (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Regarding claim 16, Roztocil further discloses wherein correcting the high performance file comprises performing a new imposition setup to change imposition instructions contained in the high performance file (see paragraph 30).

Regarding claim 17, Roztocil further disclose wherein correcting the high performance file comprises performing a new finishing setup and change finishing instructions contained in the high performance file (see paragraphs 45-48 and 56).

Regarding claim 28, Roztocil further discloses wherein the print service provider location is configured to correct the high performance file by performing at least one of a new imposition setup, a new finishing setup, a new packaging setup, and a new shipping setup and change instructions contained in the high performance file (see paragraphs 30, 45-48, and 56).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil as applied to claim 1 above, and further in view of Kemp (US 2002/0078160).

Regarding claim 18, Roztocil discloses correcting the high performance file comprises adding missing instructions or revising instructions contained within the high performance file to account for changes in equipment (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Roztocil does not disclose expressly wherein correcting the high performance file comprises performing a new packaging setup and change packaging instructions contained in the high performance file.

Kemp discloses wherein correcting the high performance file comprises performing a new packaging setup and change packaging instructions contained in the high performance file (see paragraphs 64, 67, and 84-85).

Regarding claim 19, Roztocil discloses correcting the high performance file comprises adding missing instructions or revising instructions contained within the high performance file to account for changes in equipment (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Roztocil does not disclose expressly wherein correcting the high performance file comprises performing a new shipping setup and change shipping instructions contained in the high performance file.

Kemp discloses wherein correcting the high performance file comprises performing a new shipping setup and change shipping instructions contained in the high performance file (see paragraphs 64, 67, and 84-85).

Roztocil & Kemp are combinable because they are from the same field of endeavor, printing based on printer capabilities.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the correcting of a print job by updating a job ticket with new finishing, shipping, or packaging options, as described by Kemp, with the system of Roztocil.

The suggestion/motivation for doing so would have been to ensure that a print job is executed by a printing device even if certain print options/settings cannot be performed by the printing device so that the user will still obtain some form of printed output.

Therefore, it would have been obvious to combine Kemp with Roztocil to obtain the invention as specified in claims 18 and 19.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571)272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached at (571) 272-7437. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark R. Milia

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Examiner
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/Mark R. Milia/
Examiner, Art Unit 2625
/David K Moore/
Supervisory Patent Examiner, Art Unit 2625